



Planning Services Division

3675 Mt. Diablo Boulevard, Suite 210

Lafayette, CA 94549-1968

Tel. (925) 284-1976 • Fax (925) 284-1122

<http://www.ci.lafayette.ca.us>

SRB

Special Retail Business District

6-961	General.
6-962	Purpose.
6-963	Specific plans.
6-964	Uses permitted.
6-965	Uses requiring a permit.
6-966	Restrictions on ground level and automobile traffic oriented uses
6-967	Lot area.
6-968	Height.
6-969	Open space.
6-970	Landscaping.
6-971	Setbacks or yards.
6-972	Off-street parking and loading.
6-973	Design review.
6-974	Modifiable sections.

NOTE: The City has other regulations, which may affect individual properties, including, but not limited to hillside development, structures over 17-ft. in height, development in excess of 6,000 sq. ft., tree protection, grading, and public art. Please review the Project Checklist available on the City of Lafayette web site at www.lovelafayette.org for an overview of regulations that might apply. You may consult Planning & Building Department staff to ascertain which rules and regulations apply to any given project.

Special Retail Business District

6-961 General.

All land in the special retail business district (map symbol SRB) shall be used in accordance with the provisions of this article. (Ord. 221 § 2 (part), 1980)

6-962 Purpose.

The purpose for the regulations of the SRB district is to enhance and stabilize the retail sales activities within the central area of the city, and to foster development of an especially attractive, high-quality retail shopping area, emphasizing pedestrian convenience and de-emphasizing vehicular oriented or other uses which would tend to detract from an overall atmosphere of convenience, comfort and safety for the pedestrian retail shopper. The intent of the SRB district is that uses which are not compatible with the objectives of this zone be eventually eliminated. The district envisions a physical closeness of different uses and encourages the mixing of uses within buildings including residential uses. It is the objective of this article to create a more concentrated, easily accessible retail shopping and personal service central area for the benefit of business and consumer alike. (Ord. 221 § 2 (part), 1980)

6-963 Specific plans.

- (a) The use, design and other features of the SRB regulations may be overridden by regulations contained in the adopted specific plans for portions of the district.
- (b) References in this article to the BART Block refer to the geographical area described in the BART Block specific plan.
(Ord 349 § 1, 1986: Ord. 221 § 2 (part), 1980)

6-964 Uses permitted.

Except as is otherwise provided in Section 6-966, the following uses may be conducted as a matter of right in the SRB district, without the need for a land use permit. However, a land use permit (under Sections 6-215 and 6-531) is required if the proposed use will result from the conversion of a residential use of the property.

- (a) Administrative civic;
- (b) Business and communication services where the total floor area is less than 2,000 square feet in size;
- (c) Full-service restaurant, including those with outside dining and service;
- (d) General personal service;
- (e) General retail sales;
- (f) Limited child-care;
- (g) General food sales, where the total floor area is less than 2,000 square feet in size;
- (h) Fast-food restaurant without drive-thru, drive-up or pass-thru window services;
- (i) Home/business furnishings, where the total floor area is less than 2,000 square feet in size;
- (j) Residential dwelling units on upper floors along Mount Diablo Boulevard and on all floors elsewhere in the district
- (k) Supportive care pursuant to §6-534 LMC.

(Ord. 614 § (1) Exhibit "A" (part), 2012; Ord. 359 § 5(A), 1987: Ord. 357 § 3, 1987: Ord. 349 § 2, 1986: Ord. 221 § 2 (part), 1980)

6-965 Uses requiring a permit.

In the SRB district, the following uses are permitted after the issuance of a land use permit:

- (a) Administrative;
- (b) Commercial automotive fee parking;
- (c) Commercial recreation;
- (d) Consultative service;
- (e) Fast-food restaurant with pass-thru pedestrian service window;
- (f) Financial service (see §6-966);
- (g) General food sales, where the total floor area is or exceeds 2,000 square feet in area;
- (h) Repealed by Ordinance 614;
- (i) Utility distribution and civic service;
- (j) Retail businesses utilizing access to or from a public street having a right-of-way of 55 feet or less, which forms the common boundary between a district of any residential classification and the SRB district. The application for land use permit shall be determined by the effects of traffic upon such a street occasioned by the use within the SRB district, the characteristics of the adjacent areas, traffic problems, pedestrian traffic and other considerations found pertinent to the particular area concerned;
- (k) Business and communication services where the total floor area is or exceeds 2,000 square feet in size;
- (l) Home/business furnishings, where the total floor area is or exceeds 2,000 square feet in size;
- (m) Sales representatives and goods brokers;
- (n) Self-service laundry or retail dry cleaners which complies with Section 6-532;
- (o) Firearm sales.

(Ord. 614 § (1) Exhibit "A" (part), 2012; Ord. 433 § 7, 1994; Ord. 359 § 5(B), 1987; Ord. 357 § 4, 1987; Ord. 221 § 2 (part), 1980)

6-966

Restrictions on ground-level and automobile traffic oriented uses.

- (a) No new or expanded administrative, consultative or financial service activity shall be located on the ground level of any building in the SRB district except as provided in subsections (c) or (d) of this section. An incidental pedestrian entrance which leads to such an activity on an upper floor in the building is permitted.
- (b) No new or expanded uses or facilities within the SRB district shall be organized or designed in such a manner as to require, encourage, promote or otherwise foster the use of interior-block driveways or vehicular access facilities designed to provide services directly or indirectly to an automobile, including, but not limited to, drive-thru service windows. This provision shall not apply to commercial automotive fee parking activities.
- (c) An administrative, consultative or financial service may be located on the ground level of a building (1) if the building is located north of South Thompson Road and Terrace Way and west of Oak Hill Road and (2) upon the granting of a land use permit under Section 6-215 and this section if the use permit is granted before April 13, 1999. A land use permit for an administrative, consultative or financial service under this subsection may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in Section 6-215 and to the following additional criteria:
 - (1) The proposal will not detract from the compact, integrated character of the area;
 - (2) The proposal will not impair a generally continuous wall of building facades;

(3) The proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not break up an important shopping frontage;

(4) The proposal will not interfere with the movement of people along an important pedestrian walkway;

(5) The proposal will conform in all significant respects with any applicable specific plan which has been adopted by the city council and with Section 6-962 of this chapter; and

(6) The proposal does not displace an existing residential use.

(d) In the BART Block (not located in the area covered by subsection (c) of this section), a land use permit may be granted by the city council, after review by the planning commission, to allow administrative, consultative or financial service to be located on the ground level only upon the determination that the general use permit criteria set forth in Section 6-215, criteria (1) through (6) of subsection (c) of this section and the following criteria are met:

(1) The area of ground floor use involved is minor and is of little consequence to the maintenance or creation of the retail ambience in the area;

(2) The location is not suitable for residential use;

(3) The proposed use is located in the interior of the block but not within 100 feet of the street lines of Mt. Diablo Boulevard, Happy Valley Road or Oak Hill Road, and is not located along the creek corridor;

(4) The ground floor facilities are, or will be, designed in a manner to be readily converted to and usable for retail type activities; and

(5) The proposed use is one which serves, and is compatible with the needs of, shoppers and merchants, and promotes pedestrian activity.

(Ord. 429 § 1, 1994; Ord. 349 § 3, 1986; Ord. 323 §§ 1 — 2, 1984; Ord. 221 § 2 (part), 1980)

6-967 Lot area.

No new lots may be created in the SRB district smaller than 5,000 square feet in size. (Ord. 221 § 2 (part), 1980)

6-968 Height.

(a) Except as permitted in subsection (b), no building in the SRB district may exceed 35 feet in height unless otherwise indicated in this section.

(b) The following regulations apply to the height of structures in the BART Block only:

(1) No portion of a building located within 25 feet of Mt. Diablo Boulevard may exceed two stories or 35 feet in height.

(2) In the remaining area of the BART Block (not within 25 feet of Mt. Diablo Boulevard), no building may exceed 35 feet in height. However, the planning commission may recommend and the council may grant an exception to permit additional building height not to exceed three stories total building height, if it finds that:

(A) The increased height will not cast shadows or alter air currents in a manner which unreasonably limits the light and air reaching other buildings, places or pedestrian corridors;

(B) The increased height will not adversely affect and will result in increased sensitivity to the visual and physical characteristics of the particular location through harmonious

relationships to the terrain and to proposed and existing buildings in the vicinity;

(C) The increased height will not adversely affect the semirural character of the city;

(D) The increased height will not adversely affect the view of the hills or other views as discussed in the BART Block specific plan;

(E) The orientation and location of the proposed structure will not diminish the health and safety of persons using the BART Block area; and

(F) The overall project design meets the intent and purpose of the BART Block specific plan.

In a building which exceeds 35 feet in height the square footage of the third floor will be determined by the degree to which the city council finds that: the increased height will result in more open space than is otherwise required; and the open space is added in a manner which enhances important plaza or pedestrian mall space rather than in less significant places; and the developer will provide amenities (other than those specified in any applicable specific plans) which provide unique advantages to the general public, such as additional on-site pedestrian malls, arcades, decks, bridges or similar features. (Ord. 349 § 4, 1986; Ord. 221 § 2 (part), 1980)

6-969 Open space.

(a) A minimum of 20 percent of the area of any lot in the SRB district shall be retained as permanent open space. The open space shall be open and unobstructed to the sky and shall be provided in a continuous undivided design with a minimum dimension of ten feet at any place. All open space shall be provided completely exterior to any building and shall be located and planned in a manner to promote the accumulation and combination of such spaces into larger common-use plazas, pedestrian corridors, or landscape area.

For residential uses the minimum 20 percent and ten-foot dimensional requirement for open space may be modified by provision of private open space or exterior recreational space as determined by the design review process.

(b) Open space created as a result of combination with contiguous open space on other properties may be approved when the combined open space is not less than 15 percent of the total area of the properties involved.

(c) The open space shall not be used as parking, loading or service area.

(d) The design and use of such open space shall be determined by the regulations of an adopted specific plan or through the land use permit or site plan and building elevation review procedures.

(Ord. 349 § 5, 1986; Ord. 221 § 2 (part), 1980)

6-970 Landscaping.

In the SRB district, landscaping shall be provided in the amount and manner as prescribed in the adopted specific plan or through the land use permit or site plan and building elevation review procedures. (Ord. 221 § 2 (part), 1980)

6-971 Setbacks or yards.

(a) No setbacks or yards are required in the SRB district except along creeks as specified in the BART Block specific plan, or as indicated in subsection (b).

(b) If the site is for residential use or is adjacent to residentially zoned property or property with an existing residential structure of four or more units, there shall be a ten-foot landscaped yard along that entire property line.

(c) Along Mt. Diablo Boulevard in the BART Block, a building constructed after the effective date of the ordinance from which this section derives may not be set back more than six feet from the property line for the purpose of providing off-street parking. Pedestrian amenities such as a plaza, recessed portion of a building arcade, outdoor cafe area or a wider sidewalk are encouraged.

(d) Visual and pedestrian penetration from the street to the interior of the block is encouraged.

(Ord. 349 § 6, 1986; Ord. 221 § 2 (part), 1980)

6-972 Off-street parking and loading.

(a) Parking and loading spaces shall be provided as required by Chapter 6-6 of this title.

(b) Parking lots, as much as is feasible, shall be designed and located in a manner to promote the accumulation, combination, interconnection and mutual use with other existing or planned parking lots on contiguous or nearby properties.

(c) Contiguous, connected by driveway parking lots of ten stalls or more, designed to be used mutually by two or more of the following uses: general retail sales, general personal service full-service restaurant and general food sales where the total floor area is less than 2,000 square feet; may provide 15 percent fewer parking stalls than required by Chapter 6-6, provided that no more than one of the uses served is a full-service restaurant.

(d) Notwithstanding the lack of a required setback or yard, the edge of pavement at the head of a parking stall shall be no closer than five feet from any property line.

(Ord. 359 § 5(C), 1987; Ord. 221 § 2 (part), 1980)

6-973 Design review.

No building, sign or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal have been approved pursuant to the design review requirements set forth in Part 1 of this title. (Ord. 324 § 2(e) (part), 1984; Ord. 221 § 2 (part), 1980)

6-974 Modifiable sections.

A land use permit for a special use enumerated in Sections 6-965 and 6-966 and a variance permit to modify the provisions of Sections 6-967 through 6-972, inclusive, may be granted under the applicable provisions of Part 1 of this title, except that no variance to Sections 6-968 through 6-971 may be granted for properties within the area of the BART Block specific plan. (Ord. 349 § 7, 1986; Ord. 221 § 2 (part), 1980)